



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **MATSUZAKI, Koichi, et al.**

Group Art Unit: 1642

Serial No.: 10/822,860

Examiner: **Peter J. Redding**

Filed: **April 13, 2004**

P.T.O. Confirmation No.: 2658

For: **ANTIBODIES SPECIFIC FOR PHOSPHORYLATION SITES AND SCREENING METHODS USING THE SAME ANTIBODIES**

DECLARATION UNDER 37 CFR 1.132
AND IN ACCORDANCE WITH MPEP 715.01(c)(I)
ESTABLISHING THAT CITED ARTICLE IS APPLICANT'S OWN WORK

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 11, 2007

Sir:

1. We,
Koichi MATSUZAKI
Toshihito SEKI
Masanori MATSUSHITA
Yoshiya TAHASHI
Fukiko FURUKAWA
Yasushi SUGANO
Shigeo MORI
Hideo YAMAGATA
Katsunori YOSHIDA
Mikio NISHIZAWA
Junichi FUJISAWA,

the undersigned, are the living inventors of the present application (inventor Kyoichi INOUE being deceased) as shown on the Declaration for Patent for this application.

2. We have read the Office action dated December 14, 2006, including the rejection of claims 1, 2, 4, and 5 under 35 U.S.C. 102(a) as being unpatentable over Furukawa et al. (*Hepatology*, 38:879-889) ("the Furukawa reference").

3. We state that we and the deceased Kyoichi INOUE are the same persons as Koichi MATSUZAKI, Toshihito SEKI, Masanori MATSUSHITA, Yoshiya TAHASHI, Fukiko FURUKAWA, Yasushi SUGANO, Shigeo MORI, Hideo YAMAGATA, Katsunori YOSHIDA, Mikio NISHIZAWA, Junichi FUJISAWA and Kyoichi INOUE, who are twelve of the thirteen authors of the Furukawa reference, the thirteenth author being Yutaka INAGAKI.

4. In accordance with MPEP 715.01(c)(I), we assert that we twelve inventors of the present application were the inventors of the relevant disclosure in the Furukawa reference, and that Yutaka INAGAKI did not make an inventive contribution to the Furukawa reference. The Furukawa reference therefore discloses the work of the twelve inventors of the present application.

The undersigned declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 27 day of January, 2007

Koichi Matsuzaki
Koichi MATSUZAKI

Signed this 29 day of January, 2007

Toshihito Seki
Toshihito SEKI

Signed this 29 day of January, 2007

Masanori Matsushita
Masanori MATSUSHITA

Signed this 26 day of January, 2007

Yoshiya Tahashi
Yoshiya TAHASHI

Signed this 29 day of January, 2007

Fukiko Furukawa
Fukiko FURUKAWA

Signed this 27 day of January, 2007

Yasushi Sugano
Yasushi SUGANO

Signed this 26 day of January, 2007

Shigeo Mori
Shigeo MORI

Signed this 25 day of January, 2007

Hideo Yamagata
Hideo YAMAGATA

Signed this 29 day of January, 2007

Katsunori Yoshida
Katsunori YOSHIDA

Signed this 27 day of January, 2007

Mikio Nishizawa
Mikio NISHIZAWA

Signed this 28 day of January, 2007

Junichi Fujisawa
Junichi FUJISAWA